

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ANDY BUXTON,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 2:15-cv-1653
	)	
IVA C. DOUGHERTY, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**MEMORANDUM OPINION**

Presently pending before the Court are Plaintiff's Objections to the Order dated January 15, 2019 (ECF No. 142) granting Defendants' Motion to Strike the Amended Complaint. (ECF No. 141). The objections will be **OVERRULED**. As previously explained in the order dated October 15, 2018 (ECF No. 128) the claim remaining is conspiracy with respect to defendant Rivers Casino, and "[t]he opportunity to file a motion for leave to amend is not an invitation to enlarge the lawsuit by filing new allegations not related to the allegations in the original complaint or by adding defendants not related to the allegations in the original complaint. Inclusion of new allegations and claims unrelated to those set forth in the original complaint will be considered a failure to comply with an Order of Court and will result in the dismissal of the claims." (citing ECF No. 114 at 15-16). All claims with respect to defendants Pennsylvania Office of Attorney General, Iva C. Dougherty, Katie A. Wymard, Richard Miller, Robert Marsili, Andrew Toth, Christopher Antonucci, Scott Shank, Dan Sammartino, Allegheny County, City of North Huntingdon and Amber Noel were dismissed with prejudice. (ECF No. 113). Accordingly, the magistrate judge did not err in striking the Amended Complaint with respect to all defendants other than Rivers Casino.

DATED: February 21, 2019

BY THE COURT:

s/Joy Flowers Conti

Joy Flowers Conti

Senior United States District Court Judge

cc: ANDY BUXTON  
MS 1885  
SCI Mercer  
801 Butler Pike  
Mercer, PA 16137  
(via U.S. First Class Mail)

All counsel of record  
(via CM/ECF electronic notice)